

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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WILL WASHINGTON, JOSEPH A.
FOY II, SHEHNAZ HIRJI, DAWN
JOHNSON-ADAMS, HOLLY GANT
JONES, THERESA BUTLER, WENDY
SCHEER, and ELLEN GRUFFI,

Plaintiffs,

-against-

RONALD O. ROSS, individually,
LLOYD NEWLAND, individually,
DAVIS WARNER, individually, ERIC
BITTERMAN, individually, CLAUDIA
GLASER, individually, TERRY
WILLIAMS, individually, and the
GREENBURGH CENTRAL SCHOOL
DISTRICT,

Defendants.
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COMPLAINT

Jury Trial Demanded

JUDGE BRICCETTI

Plaintiffs WILL WASHINGTON, JOSEPH A. FOY II, SHEHNAZ HIRJI, DAWN
JOHNSON-ADAMS, HOLLY GANT JONES, THERESA BUTLER, WENDY SCHEER, and
ELLEN GRUFFI for their complaint respectfully allege:

NATURE OF THE ACTION

1. This is an action for intangible compensatory and punitive damages proximately
resulting from Defendants' establishment and maintenance of a hostile work environment by
reason of race and gender in violation of Plaintiffs' rights as guaranteed by 42 U.S.C. §§1981,
1983.

JURISDICTION

2. The Court's jurisdiction is invoked pursuant to 28 U.S.C. §§1331, 1343.

THE PARTIES

3. Plaintiff WILL WASHINGTON is a male African-American citizen of the United States and the principal of the Woodlands High School in the Greenburgh Central School District.

4. Plaintiff JOSEPH A. FOY II is a male African-American citizen of the United States and a Guidance Counselor employed by the Greenburgh Central School District.

5. Plaintiff SHEHNAZ HIRJI is a female Muslim of Jordanian/Arab descent, a citizen of the United States, and an English Teacher employed by the Greenburgh Central School District.

6. Plaintiff DAWN JOHNSON-ADAMS is a female African-American citizen of the United States and the Director of Human Resources for the Greenburgh Central School District.

7. Plaintiff HOLLY GANT JONES is a female African-American citizen of the United States and a Guidance Counselor employed by the Greenburgh Central School District.

8. Plaintiff THERESA BUTLER is a female Caucasian citizen of the United States and a Social Studies Teacher employed by the Greenburgh Central School District.

9. Plaintiff WENDY SCHEER is a female Caucasian citizen of the United States and a Science Teacher employed by the Greenburgh Central School District.

10. Plaintiff ELLEN GRUFFI is a female Caucasian citizen of the United States and a Social Studies teacher employed by the Greenburgh Central School District.

11. Defendant RONALD O. ROSS (hereinafter "Ross"), who is sued in his individual capacity only, is the duly appointed Superintendent of Schools for the Greenburgh Central School District. Ross claims to be bi-racial as his mother is African-American and his father is a

white “drunk Irishman”. Ross has been deliberately given plenary and virtually unbridled authority to run the District by the Board of Education (alternately the “Board”) and as a result he is both *de facto* and *de jure* a policymaker for the District. His conduct, set forth *infra*, is racist, sexist, and has knowingly been condoned and ratified by the Board.

12. Defendant LLOYD NEWLAND (hereinafter “Newland”), who is sued in his individual capacity only, is the duly elected President of the Board of Education of the Greenburgh Central School District.

13. Defendant DAVID WARNER (hereinafter “Warner”), who is sued in his individual capacity only, is the duly elected Vice President of the Board of Education of the Greenburgh Central School District.

14. Defendant ERIC BITTERMAN (hereinafter “Bitterman”), who is sued in his individual capacity only, is one of the seven duly elected members of the Board of Education of the Greenburgh Central School District.

15. Defendant CLAUDIA GLASER (hereinafter “Glaser”), who is sued in her individual capacity only, is a duly elected member of the Board of Education of the Greenburgh Central School District.

16. Defendant TERRY WILLIAMS (hereinafter “Williams”), who is sued in his individual capacity only, is a duly elected member of the Board of Education of the Greenburgh Central School District.

17. Defendant GREENBURGH CENTRAL SCHOOL DISTRICT (hereinafter “District”) is a municipal corporate subdivision of the State of New York duly existing by reason of and pursuant to the laws of said state. Its principal office for the conduct of business is situated at 475 West Hartsdale Avenue, Hartsdale, N.Y. As set forth *infra* the District has no effective procedure for investigating and resolving complaints made with respect to Ross and when multiple founded

complaints were lodged with respect to him regarding the matters set forth *infra* the Board of Education ignored them and took no remedial action.

THE MATERIAL FACTS

18. To the knowledge of Plaintiff Washington, Ross has repeatedly and over the course of the past three years:

- a. Referred to the Principal of the District's Lee F. Jackson Elementary School, Patricia Simone, as a "White Bitch",
- b. Referred to the Principal of the District's Bailey School, Marge Jones, as a "Whining White Bitch",
- c. Referred to his (Ross') own secretary, Lisa Holmes, as a "Fat Bitch",
- d. Referred to the District's Director of Curriculum and Instruction for Math and Science, Irina Kantayev as both a "Nazi Bitch" and a "Russian Bitch",
- e. Referred to the District's Assistant Superintendent, Dr. Susan Sciascia, as a "White Bitch" and a "Cancer Bitch",
- f. Referred to the former President of the Greenburgh Teachers' Federation, Shelly Packer, as a "Jew Bitch",
- g. Referred to the former Vice President of the Greenburgh Teachers' Federation, Valerie Barbaro, as a "Midget Bitch" and a "White Bitch",
- h. Referred to Plaintiff Jones, as a "Drunken Bitch" who he threatened to fire as a "fat drunk bitch",
- i. Referred to Plaintiff Butler as a "Racist White Bitch", a "False Titty Bitch" and a "Fake Titty Bitch",
- j. Referred to a Music Teacher, Shirley Crabbe, as "Aunt Jemima,

- k. Referred to a Nurse's Aide, Barbara Pridgen, as an "Old Black Bitch" and a "Old Fat Black Bitch" who he was going to "screw" by taking away her overtime ,
- l. Referred to a Secretary, Ivy Blum, as a "Deaf White Bitch",
- m. Referred to a Foreign Language Teacher, Sue Bailan, as a "Nosey Jew Bitch",
- n. Referred to Plaintiff Butler's husband, a Social Studies Teacher, as a "White Uncle Tom",
- o. Referred to one District student as a "Racist Brazilian Bitch",
- p. Referred to Plaintiff Foy as "Uncle Tom", "Oreo" and a "Sell Out",
- q. Referred expressly to Plaintiff Butler and his (Ross') intent to take away that "White Bitch's Classroom", and *inter alia*,
- r. Referred to Plaintiff Washington as a "Clarence Thomas", apparently because Thomas is not known to be a Liberal and is married to a Caucasian.

19. When Plaintiff Washington suggested on a yearly basis to Ross that there ought to be an intercultural Thanksgiving luncheon between the District and the Solomon Schechter School, Ross rejected the idea advising: "I don't want to do anything with the Jew school."

20. In 2012 Ross advised Plaintiff Washington that he did not like the circumstance that two Caucasian students were scheduled to represent the District at the Valedictorian and Salutatorian Westchester Dinner; under the circumstances Ross brought two minority students to the dinner instead.

21. To the knowledge of Plaintiff Foy repeatedly over the past three years Ross has commented that:

- a. Foy is an "Uncle Tom",
- b. Foy is an "Oreo", that is Black on the outside but White on the inside,
- c. Foy is a "Clarence Thomas",

d. He had heard Foy is a “real brother”, but has not seen evidence of that,

e. In connection with a purported racial incident coordinated by Ross against a Caucasian member of the District’s staff, expressed his hostility because Foy in a room full of African-American employees of the District, defended “that White woman”, Plaintiff Gruffi,

f. Foy is, with respect to his race, a “Sell Out”,

g. He hopes Dr. Sciascia , who he characterized as “White Bitch”, “dies” of cancer

h. He could not understand how Foy felt compassion for Sciascia, because she is a “White Bitch”,

i. Staff member Shelly Packer is a “White Bitch”,

j. Staff member Valerie Barbaro is a “White Bitch”,

k. Plaintiff Scheer is a “White Bitch”,

l. Plaintiff Butler, a “White Bitch”, was going to be put on a “cart”, that is forced to move from room to room to teach her classes,

m. Plaintiff Butler is a “bitch” and threatened that if she did not “get on board” she would find her “White Ass” on a cart,

n. Defendant Glaser is a “Fat White Dyke Bitch” and a “Fat White Dyke”,

o. That he did not want that “Black ass California raisin Terry Williams”, a Defendant, in his face,

p. That Terry Williams, a Defendant, is a “Black California Raisin”

q. That Deborah Campbell and Sonja Brown, both members of the Board of Education, are “Bitches” and/or “Black Bitches”,

r. That Caucasians are “White Devils”, “crackers” and “trailer trash”,

s. That Foy attended a “white school” and thus “wasn’t Black anymore”, and *inter alia*,

t. That Plaintiff Butler kept her husband's "Balls" in her "Purse".

22. To the knowledge of Plaintiff Holly Gant Jones, repeatedly over the past three years Ross has made reference:

- a. To her as a "Fat Bitch",
- b. To her as a "Drunk Bitch",
- c. Over the school intercom to Lori L'Wanga (teacher) losing one hundred pounds and another teacher, Stacey Preston, finding the pounds,
- d. To Board of Education member Terry Williams as a "Little Black Raisin",
- e. To Board of Education member Claudia Glaser as a "Fat, White, Dyke, Bitch",
- f. To student "A" as a "fucking white bitch",
- g. To Shirley Crabbe, an African-American female teacher, as "Aunt Jemima",
- h. To Plaintiff Foy as "Clarence Thomas",
- i. To female students who were seniors, that in college they were going to be "roofied" (given a date rape drug) and raped",
- j. To famous Caucasians as "White Devils",
- k. To Plaintiff Butler as a "White Bitch",
- l. To former Greenburgh Teachers Federation President, Shelley Packer, as a 'Bitch" and a "Fucking Bitch",
- m. To former Greenburgh Teachers Federation Vice President, Valerie Barbaro, as a "Bitch" and a "Fucking Bitch",
- n. To Plaintiff Butler's husband's "Balls" being in his wife's "Purse",
- o. To both Shelley Packer and Valerie Barbaro as "Cunts", and *inter alia*,
- p. To Susan Sciascia as a "Bitch" who he hoped would die of cancer.

23. To the knowledge of Plaintiff Butler, Ross has repeatedly over the past three years referenced:

- a. Her as a “White Bitch”,
- b. Plaintiff Butler’s husband and his (Ross’) opinion that: “White Men Can’t Control Their Women”,
- c. To or about Plaintiff Butler’s husband: “I found your balls, they were in your wife’s purse”,
- d. Prominent Caucasians as “White Devils”, “Crackers” and “Trailer Trash”,
- d. Plaintiff Butler’s husband as “White Devil” and “White Trash” who teaches a “Room Full of Retards”,
- e. Plaintiff Butler as having “Big Titties” and “Big Fake Titties”,
- f. Plaintiff Foy as “Clarence Thomas”,
- g. Plaintiff Gruffi’s daughter, a now-former member of the District’s teaching staff, as a “Little White Bitch” and an “Entitled Princess”,
- h. Senior female students, when they go to college, being “roofied and raped” and, *inter alia*,
- i. Shelly Packer, on her retirement, as a “Bitch”.

24. To the knowledge of Plaintiff Johnson-Adams, over the past three years Ross has made repeated reference to:

- a. Plaintiff Washington as being “Gay”,
- b. Plaintiff Washington having a complex because he is “Black”,
- c. Bruce Gottlieb’s, a former Director of Pupil Personnel Services, being “Jewish”,
- d. Plaintiff Foy as “Clarence Thomas”,

e. Claudia Glaser, Board of Education member, as a “White Dyke”, “White Dyke Bitch”, “Dyke”, “Dumb Bitch”, and as the “man” in the relationship,

f. David Warner’s, a member of the Board of Education, having a wife who is “Black”,

g. David Warner whose wife is “Big and Fat”,

h. David Warner who “Hides Behind His Wife’s Skirt”,

i. Lisa Holmes, Ross’ former secretary, as weighing “over 500 pounds”,

j. Ruddy Henriquez (who works in the Registrar’s Office) as “Gay”,

k. Holly Gant Jones: “She’s A Drunken Bitch”, and *inter alia*,

l. Susan Sciascia, a “White Bitch”, “She’s Such A Bitch. She’s So Mean. That’s The Reason She Has Cancer”.

25 . Plaintiff Hirji, who upon information and belief Ross does not perceive to be Caucasian, over the past three years has been repeatedly told by Ross:

a. “You Need To Be Careful Before Someone Throws Acid In Your Face”,

b. You are a Muslim “Concubine”.

c. “You Do Not Believe In Jesus Christ So You Are Going to Hell”,

d. “Your Presence Is A Threat To The Safety Of Our Children” because “Your Husband, Or [Your] People, Could Come In At Any Time and Blow Up This Place”, and *inter alia*,

e. Not to interview for a position because: “I [Ross] Don’t Hire Muslims”.

26. Separate and apart from the slurs Ross has personally directed at Hirji, Hirji became aware of all and/or virtually all of the racist and sexist slurs referenced *supra* and *infra*, by her co-plaintiffs; that awareness is shared by Hirji’s co-plaintiffs.

27. To the knowledge of Plaintiff Wendy Scheer over the past three years Ross has repeatedly made racially and sexually offensive comments and engaged in sexually offensive conduct in the school workplace, including *inter alia*:

- a. Referring to Assistant Superintendent Dr. Susan Sciascia as a “Cancer Bitch”,
- b. Degrading two females by use of the school intercom system to announce that teacher Lori L’Wanga lost one hundred pounds and teacher Stacey Preston found them,
- c. Referring to prominent Caucasians as “White Devils”,
- d. Referring to Plaintiff Foy as an “Uncle Tom”, and *inter alia*,
- e. Describing Valerie Barbaro, former Greenburgh Teachers Federation Vice President, as a “Bitch” and a “Fucking Bitch”.

28. Separate and apart from the slurs Ross has made in Plaintiff’s presence, Plaintiff became aware of all and/or virtually all of the racist and sexist slurs referenced *supra* and *infra* by her co-plaintiffs; that awareness is shared by Plaintiff’s co-plaintiffs.

29. To the knowledge of Plaintiff Ellen Gruffi over the past three plus years Ross has repeatedly made racially and sexually offensive remarks and engaged in racially threatening and intimidating conduct including:

- a. Referring to Dr. Susan Sciascia as a “White Bitch” and a “Cancer Bitch”,
- b. Referring to Plaintiff Butler as a “Racist White Bitch”, a “False Titty Bitch” and a “Fake Titty Bitch”,
- c. Referring to Shirley Crabbe, a music teacher, as “Aunt Jemima”,
- d. Referring to Plaintiff Foy (hereinafter “Foy”) as an “Uncle Tom”,
- e. Referring to Foy as an “Oreo”,
- f. Referring to Foy as a “Clarence Thomas”,
- g. Referring to Foy as a “real brother” who exhibits no evidence of same,

h. Ordering (Caucasian) Plaintiff Gruffi to meet in a room packed at Ross' direction with African-American members of the District's staff (including teachers, administrators and custodians) to threaten and intimidate her, accuse her falsely of making a racially inappropriate comment to an African-American staff member, and to demand an apology,

i. Referring to Plaintiff Butler as a "White Bitch",

j. Referring to Plaintiff Butler as a "bitch" and threatening to put her "White Ass" on a cart,

k. Referring to Caucasians as "White Devils", "Crackers" and "Trailer Trash",

l. Announcing over the school's public address system that one female teacher lost one hundred pounds and another female teacher found them,

m. Referring to student "A" as a "fucking white bitch", and *inter alia*,

n. Referring to Shirley Crabbe as "Aunt Jemima.

30. Separate and apart from the slurs Ross has personally made in Gruffi's presence, she became aware of all and/or virtually all of the racist and sexist slurs referenced *supra* by her co-plaintiffs including slurs directed at Gruffi's daughter (Elizabeth Gruffi, a now-former teacher in the District) who he referenced as a "White Bitch" and amongst other things a "Spoiled White Bitch". Gruffi's co-plaintiffs have the same awareness.

31. In August of 2013 Plaintiff Johnson-Adams made a complaint to the Board of Education regarding Ross' harassing conduct in the workplace. That complaint led to the conduct of several meetings among the Board members and Johnson-Adams in which she recounted, amongst other matters, Ross' use of offensive racial and sexual references. In that connection the Board was told by Johnson-Adams about, *inter alia* Ross's references to Plaintiff Washington as "Gay". The Board members were also told by her regarding Ross' offensive references to

Warner's wife being Black. They were also told about Ross' reference to Claudia Glaser as a "White Dyke".

32. On the basis of Johnson-Adams' complaint, as corroborated by other members of the District's staff, the Board in the early Fall of 2013 ordered an investigation. In that connection staff members were interviewed and a secret report, believed to document Ross' pervasive, persistent, repeated, offensive comments and slurs, was generated and provided to both the Board and Ross.

33. Separate and apart from the Johnson-Adams' complaint and its follow-up, Ross' offensive, sexist, and racist slurs so permeated the District and its staff, including multiple slurs leveled against members of the Board, that the members of the Board of Education had to have known and/or reasonably should have known about his abusive, unwanted, demeaning, intimidating, and ridiculing behavior.

34. Despite the Board's knowledge of Ross' long-term on-going sexist and racist slurs, its receipt of the secret report, and its receipt of detailed information as provided by multiple witnesses, the Board determined to take no remedial action against Ross. In doing so, the Board knowingly and deliberately condoned and ratified Ross' years of sexist and racist conduct rendering that offensive conduct a Board-approved District policy which Ross himself had also established as a policymaker. In that same connection the Board knowingly and intentionally condoned and approved both a sexually and racially hostile pervasive work environment in the District.

35. Each of the Plaintiffs has found Ross' conduct, as referenced *supra*, to be subjectively abusive and offensive.

36. Each of the Plaintiffs has found Ross' conduct as referenced *supra* to be objectively abusive and offensive, which it is in fact.

37. By creating and maintaining a concerted and continuously gender and racially hostile work environment Ross' conduct, as known to and condoned/approved by the Board, has so altered the work environment as to actually impair each of the Plaintiff's ability to perform their job functions. In that connection each of the Plaintiffs, by reason of Ross' behavior as countenanced and endorsed by the Board, has been intimidated, degraded, rendered anxious, distracted from their professional duties and responsibilities, and otherwise been forced to work in a degrading and intimidating work environment which has been materially altered for the worse, laced with intimidation and verbal assaults, and that is not conducive to educating children and/or professional interaction among District officials and/or employees. As a proximate result the educational process in the District has been impaired and compromised.

38. By reason of the District's gender and racially hostile work environment, the Plaintiffs have suffered intangible damages including *inter alia*: anxiety, emotional distress, public embarrassment, public ridicule, public humiliation, public degradation, sleep disorders, migraines, other physical symptoms, and have otherwise been rendered sick and sore.

AS AND FOR A FIRST CLAIM

39. Repeat and reallege as if fully set forth the allegations of fact contained in paragraphs "1" to "38", inclusive.

40. Under the premises Defendants knowingly and intentionally denied Plaintiffs' right to a workplace environment free from race discrimination, in violation of 42 U.S.C. §1981.

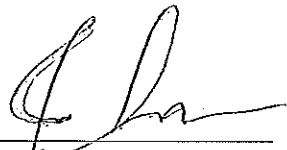
AS AND FOR A SECOND CLAIM

41. Repeat and reallege as if fully set forth the allegations of fact contained in paragraphs "1" to "38", inclusive.

42. Under the premises Defendants knowingly and intentionally denied Plaintiffs' right to a workplace free from gender discrimination, in violation of 42 U.S.C. §1983.

WHEREFORE a judgment and order should be granted awarding Plaintiffs such compensatory and punitive damages as shall be determined by the jury, awarding reasonable attorney's fees, and granting such other and further relief as to the Court seems just and proper.

Dated: White Plains, N.Y.
April 25, 2014


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